GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department – Panel of Assistant Prohibition & Excise Superintendents fit for notional promotion to the post of Prohibition & Excise Superintendent for the panel year 1985-86 - Screening Committee recommendations – Approved – Orders – Issued.

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REVENUE (EXCISE.I) DEPARTMENT

G.O.MS.No. 152 **Dated: 03-04-2018**
Read the following:-

1. G.O.Ms.No.501, Revenue (Ex.I) Department, dt.15.04.2005.
2. Govt. Memo No.55059/Ex.I(1)/2005-8, dt.19.03.2009.
3. Govt. Memo No.40017/Ex.I(1)/2010, dt.05.03.2013.
4. From the Hon'ble High Court of AP, Hyderabad, Orders, dt.25.07.2017 in CC (TR) No.59/2017 filed by Sri G. Veera Reddy, S/o G.Pulla Reddy, retired Assistant Commissioner of Prohibition & Excise (I/c.), Nalgonda District.
5. From the CPE, AP., Cr.No.4440/CPE/A2/2017, dt.09.08.2017.
6. From the Revenue (Ex.) Department, Government of Telangana, Hyderabad, letter, No.40017/Excise.I(1)/2010-3, dt.23.09.2017.
7. U.O.Note No.30021/56/Ex.I(1)/2017, dt.27.11.2017.
8. .From the G.A (Ser.D) Department, U.O. Note No.928101/Ser.D/2018, dated.01.03.2018 along with DPC Proceedings, dated 01.03.2018.

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O R D E R:

The seniority in the cadre of Assistant Prohibition & Excise Superintendent for the period from 1975-76 to 1990-91 has been finalized by the Government keeping in view the orders of Hon'ble High Court of AP., in WP NO.4272/2001 & batch cases, dt.24.12.2003 by following due procedure, vide G.O.Ms.No.501, Revenue (Ex.I) Department, dt.15.04.2005.

2. Sri G.Veera Reddy who retired on 30.09.1998 as Prohibition & Excise Superintendent had not submitted objections on the provisional seniority list of Assistant Excise Superintendents within the stipulated period as ordered by the Government. He submitted his representation for revision of his placement in the seniority list on 11.11.2005, ie., after the issue of final integrated seniority list of Assistant Excise Superintendents in G.O.Ms.No.501, Revenue (Ex.I) Department, Dt.15.04.2005. He requested the Government to review his seniority in the category of Assistant Excise Superintendents in the panel year 1982-83 and to restore his rightful place ie., below Sri S. Madan Mohanachary (Sl.No.56) in the final seniority list of Assistant Excise Superintendents in MZ-III and above Sri A. Gabriel (Sl.No.110) in the final integrated seniority list of Assistant Excise Superintendents issued in G.O.Ms.No.501, Revenue (Ex.I) Department, Dt.15.04.2005. He has also approached the Hon'ble Tribunal in the matter.

3. Government examined the representation and observed that, the request of Sri G.Veera Reddy to consider for the rightful place on par with his junior, was not taken care-of while preparing the integrated seniority list in the year 2005. Further the promotions given earlier to the category of Assistant Excise Superintendent were on adhoc basis and the final seniority list was published only in the year 2005. While preparing the seniority list /panels for the past years, it is necessary to consider, the final decisions taken in disciplinary cases against the officers, whose names were proposed to be included in appropriate panels.

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4. Accordingly, Government after careful examination of the matter considered the appeal filed by Sri G.Veera Reddy, P&ES (Retired) to revise his seniority in the category of Assistant Excise Superintendents and to restore his rightful place ie., below Sri Madan Moahnachary (Sl.No.56) in the final seniority list of Assistant Excise Superintendents in MZ-III and above Sri A. Gabriel (Sl.No.110) in the final integrated seniority list of AESs issued in G.O.Ms.No.501, Revenue (Ex.I) Department, Dt.15.04.2005, subject to outcome of SLP/Court cases pending in the matter and following due procedure.

5. Having examined the objections filed in this regard, the seniority of Sri G. Veera Reddy has been confirmed by the Government, vide Memo No.40017/Ex.I(1)/2010, dt.05.03.2013.

6. The Commissioner of Prohibition & Excise furnished proposals for notional promotion in the cadre of Prohibition & Excise Superintendent along with original ACRs of the retired officer for the years 1967-68 to 1996-97 and requested the Government to place the matter before the review DPC. In the meantime, the State has been bifurcated and the Government imposed ban on promotions, etc., vide G.O.Rt.No.2147, General Administration(DPC.I) Department, dt.16.05.2014. In view of the above, the relevant file along with all relevant material papers has been transferred to Government of Telangana, since he belongs to MZ-III.

7. Sri G. Veera Reddy, Prohibition & Excise Superintendent (Retd.) has also filed CC (TR) No.59/2017 in OA No.5350/2010 for wilfully disobeying the orders in OA No.5350/2010, dt.19.11.2012. The High Court of Telangana and Andhra Pradesh has issued notice to the impleaded respondents viz., Special Chief Secretary, Revenue (CT, Ex. & Regn.) and Commissioner of Prohibition & Excise., AP., vide their orders, dt.25.07.2017 and sought for compliance in the issue.

8. The Government of Telangana has also examined the matter and found that the claim of the applicant is for notional revision of placement in the panel for the year 1982-83 of Assistant Excise Superintendent with all consequential benefits. He retired from service long back ie., before the formation of State of Telangana. The State of Telangana came into existence w.e.f.02.06.2014, therefore the present State of Telangana in no way concerned or responsible for implementation of the orders passed by the Hon'ble APAT. The benefit of which would accrue to the applicant due to implementation or order of the Tribunal was while he was in service the then in the State of AP. Accordingly, they transferred the relevant copies relating to Sri G.Veera Reddy to the Government of Andhra Pradesh and requested to take necessary action in the matter in the reference 6th read above. The Commissioner of Prohibition & Excise, AP has also requested to take immediate action for considering notional promotion in the cadre of Prohibition & Excise Superintendent to avoid further legal complications in the matter.

9. The proposal to consider to include the name of G. Veera Reddy, Prohibition & Excise Superintendent (Retd.) for notional date of promotion in the cadre of Prohibition & Excise Superintendent on par with his junior., i.e, above Sri A.Gabrial (Sl.No.73) and below Sri M.P. Rao (Sl.No.72) in the cadre of Prohibition & Excise Superintendent in the panel year 1985-86 has been placed before the Review Screening Committee. The Screening Committee in its meeting held on 01.03.2018 after going through the ACRs, relevant records and other material papers relating to Sri G.Veera Reddy, Prohibition & Excise Superintendent (Retd.) and his seniority confirmation orders passed in Memo No.40017/Ex.I(1)/2010, dt.05.03.2013 and after making an overall assessment of his service record and work done, considered that he is eligible for notional promotion in the category of

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Prohibition & Excise Superintendent and accordingly, recommends that the name of Sri G.Veera Reddy, be included in the panel of Assistant Prohibition & Excise Superintendent/Chemical Examiner at Sl.No.3 (a) for notional promotion in the category of Prohibition & Excise Superintendent, above the name of Sri A.Gabrial (Sl.No.4) and below the name of Sri M.P. Rao (Chemical Examiner) (Sl.No.3) in the panel year 1985-86, duly deleting the last name of Sri C.Rajagopal Naidu in the panel year 1985-86.

10. Government hereby accept the above recommendations of the Screening Committee held on 01.03.2018 and decided to include the name of Sri G.Veera Reddy, Assistant Prohibition & Excise Superintendent (Retd.) in the panel of Prohibition & Excise Superintendent fit for notional promotion to the category of Prohibition & Excise Superintendent above the name of Sri A.Gabrial (Sl.No.4) and below the name of Sri M.P. Rao (Chemical Examiner) (Sl.No.3) in the panel year 1985-86, duly deleting the last name of Sri C.Rajagopal Naidu in the panel year 1985-86.

11. The above recommendation is subject to directions/outcome of OAs/WPs/WAs/RPs/CAs etc., if any, pending before Tribunal/Courts etc.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. D. SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Prohibition & Excise, A.P.,
RS.No.88-2B, Sai Vihar Apartments, Poultry Farm Road,
Prasadampadu(Village), Vijayawada (Rural Mandal), Krishna District.
The Commissioner of Prohibition & Excise., Telangana State., Hyderabad.
Copy to:
The General Administration (Ser.D)Department.
The PS to Minister for Prohibition & Excise.
The PS to Spl. C.S. to Govt., Revenue Department(Excise)
The Government Pleader for Services (Revenue), A.P. High Court of AP,
Hyderabad.
Sf/Sc

//FORWARDED::BY ORDER //

SECTION OFFICER.